

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 2593-01  
BILL NO.: HB 1239  
SUBJECT: Crimes and Punishment; Public Health; HIV Testing  
TYPE: Original  
DATE: January 18, 2000

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of the Attorney General**, the **Office of State Courts Administrator**, the **Department of Corrections**, the **Department of Health**, the **Department of Public Safety – Missouri State Highway Patrol**, the **Office of Prosecution Services**, and the **Office of Administration** assume the proposed legislation would have no fiscal impact on their agencies.

**Oversight** assumes the initial costs associated with the HIV testing would be incurred by local governmental entities; however, the cost of the testing would then be taxed as court costs to the defendant in the criminal proceedings as outlined in the proposal. Therefore, Oversight assumes the proposal would result in zero fiscal impact for local governmental entities.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
<u>Costs</u> – Defendant HIV testing	(Unknown)	(Unknown)	(Unknown)
<u>Income</u> – Reimbursement by defendants	Unknown	Unknown	Unknown
<b>ESTIMATED NET EFFECT ON LOCAL GOVERNMENT</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

### FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

L.R. NO. 2593-01  
BILL NO. HB 1239  
PAGE 3 OF 3  
January 18, 2000

#### DESCRIPTION

The proposed legislation would add persons who receive a suspended imposition of sentence for sexual offenses to the parties who are required to undergo HIV testing, without right of refusal. It would also require these defendants to be tested for HIV prior to release even if the defendant is not incarcerated.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

This proposal would not affect Total State Revenues.

#### SOURCES OF INFORMATION

Office of the Attorney General  
Office of the State Public Defender  
Office of State Courts Administrator  
Department of Corrections  
Department of Health  
Department of Public Safety – Missouri State Highway Patrol  
Office of Prosecution Services  
Office of Administration



Jeanne Jarrett, CPA  
Director  
January 18, 2000